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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,576	09/10/1999	MITSUNOBU ENOMOTO	P1216-9002	2928

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ARENT FOX KINTNER PLOTKIN & KAHN
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 07/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/393,576

Applicant(s)
Enomoto et al

Examiner
Khanh Dinh

Art Unit
2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 17, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-31 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This is in response to the Amendment filed on 5/17/2002. Claims 23-28 and new claims 29-31 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 23-27, 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Arita U.S. Pat. No. 5,821,926.

As to claims 23 and 30, Arita discloses an Internet information displaying method comprising:

selecting an arbitrary button in said tool bar (see abstract, fig. 3a, 3b, col. 10 line 62 to col. 12 line 63).

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magnifying and displaying said selected button (see col.11 Lines 15-45, col.20 line 32 to col.21 line 65 and col.15 line 13 to col.16 line 54).

As to claim 24, Arita discloses the state of the selected button is magnified in the direction toward the center of the screen at said step of magnifying and displaying said selected button (see fig.8 and col.15 Lines 13-56).

As to claim 25, Arita discloses characters for expressing the function of the button are also displayed at said step of magnifying and displaying said selected button (see fig. 27 and col.17 Lines 1-26 and col.21 line 5 to col.22 line 60).

As to claim 26, Arita discloses the step of varying the displaying state of said magnified and displayed button when executing the function of said selected button (see fig.1, col.10 Lines 49-60 and col.21 line 5 to col.22 line 60).

As to claim 27, Arita discloses the button is displayed in the depressed state from the screen at the step of varying the displaying state of said magnified and displayed button when executing the function of said selected button (see fig.10, col.17 lines 1-26 and col.25 line 19 to col.26 line 55).

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As to claim 31, Arita discloses that the display state of the selected button is magnified and moved in the direction toward the center of the screen (see fig.8 and col.15 Lines 13-56, col.11 line 4 to col.12 line 64 and col.15 line 4 to col.17 line 54).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arita U.S Pat. No.5,821,926.

Arita's teachings still applied as in item 3 above. Arita does not specifically disclose using a wireless remote control to select an arbitrary button. However, wireless remote control is generally well known in the art. It would have been obvious if not inherent to one of the ordinary skill in the art at the time the invention was made to implement a well-known device such as a wireless remote control in the system of Arita to control data because it would have enabled users to access and to control data more quickly.

Response to Arguments

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6. Applicant's arguments filed on 5/17/2002 have been fully considered but they are not persuasive.

* Applicant asserts that the Arita reference does not disclose magnifying a selected button with respect to other buttons.

Examiner respectfully disagrees. Arita discloses magnifying a selected button with respect to other buttons (i.e., using manipulation of selecting three buttons of the individual buttons, see fig.8, col.15 Lines 13-56, col.11 lines 15-45, col.20 line 32 to col.21 line 65 and col.15 line 13 to col.16 line 54) as rejected above.

* Applicant further assert that there is no reference shown in support of the well-known feature "remote control."

Examiner points out that Redford (US pat. No.6,418,532) explicitly discloses the use of the remote control to allow quickly create interactive media applications including displaying data button (see Redford's abstract, summary and col.15 line 5 to col.16 line 57).

Conclusion

7. Claims 23-31 are ***rejected***.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone number for this group is (703) 746-7239.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U.S.C. Sect.133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
7/17/2002


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100